2007-26508

# CONTRACT SERVICE ARRANGEMENT AGREEMENT Case

ENT C7K - 4/11/07
Case Number FL05-G520-11

MASTER SERVICES AGREEMENT - ORDER ATTACHMENT FOR CSA SERVICES

This Order Attachment Agreement is Made Pursuant to the Master Services Agreement No. FL03-E591-00.

This Agreement is entered into pursuant to Tariff Section A5 of the General Subscriber Services Tariff.

Offer Expiration: This offer shall expire on: 1/20/2008.

Customer's Billing Address:

CTTY OF MIAMI BEACH
1100 WASHINGTON AVE

MIAMI BEACH, FL 33139

Case Number FL05-G520-11 Option 1 of 1

Estimated service interval following acceptance date: Negotiable weeks

Service description:

This Contract Service Arrangement (CSA) provides BellSouth® Metro Ethernet service and Automatic Protection Switching and for intraLATA Frame Relay service and Broadband Line-Fast Packet Option (FPO) service.

This Agreement provides for a thirty-six (36) month service period with three (3) automatic one year renewals, unless either party provides written notice of its intent not to renew the Agreement at least sixty (60) days prior to the expiration of the initial term or each additional one-year term.

Under this Agreement, this service may only be purchased by Customers whose traffic on this service will be at least 90% intrastate. Customer is responsible for complying with this requirement, and by ordering or accepting such service under this Agreement, Customer is representing to the Company that its traffic on the service will be at least 90% intrastate.

Customer understands and agrees that Company is relying upon Customer's representations concerning the proper jurisdiction of any and all circuits ordered under this Agreement. Customer expressly agrees that Company has the right, in its sole discretion, to immediately convert any circuit or service to the correct jurisdiction, and adjust the rates and terms accordingly, should the Company determine that the jurisdictional nature of the circuit or service is different than what the Customer represented. Subject to the limitations provided under Section 768.28 Florida Statutes, customer agrees to hold the company harmless, and to indemnify and defend the Company from any and all claims that may result from the Company's conversion of any circuit or service to the correct jurisdiction, based on any good faith effort to comply with applicable regulatory requirements.

This Agreement is not binding upon Company until executed by an authorized employee, partner, or agent of Subscriber and Company. This Agreement may not be modified, amended, or superseded other than by a written instrument executed by both parties, approved by the appropriate Company organization, and incorporated into Company's mechanized system. The undersigned warrant and represent that they have the authority to bind Subscriber and Company to this Agreement.

AGREEMENT

Case Number FL05-G520-11

Option 1 of 1

IN WITNESS WHEREOF, the Parties hereto have caused this Order Attachment to be executed by their respective duly authorized representatives on the date indicated below.

Accepted by: Subscriber: CITY OF MIAMI BEAC Authorized Signature Matti Herrera Bower Printed Name: Vice-Mayor Date: Robert Parcher, City Clerk Company; BellSouth Telecommunications, Inc. By BellSouth Business Systems, Inc. Authorized Signature Printed Name: Title: Date:

APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

# **AGREEMENT**

Case Number FL05-G520-11 Option 1 of 1

# RATES AND CHARGES

	Rate Elements	Non-Recurring	Monthly Rate	<u>USOC</u>
1	BellSouth® Metro Ethernet Service, 10 Mbps Basic Connection, per connection	\$.00	\$476.00	MTEBA
2 .	BellSouth® Metro Ethernet Service, 100 Mbps Basic Connection, per connection	\$.00	\$945.00	MTEBB
<b>3</b> .	BellSouth® Metro Ethernet Service, 1 Gbps Basic Connection, per connection	\$.00	\$1,890.00	MTEBC
4 .	BellSouth® Metro Ethernet Service, 10 Mbps Premium Connection, per connection, Burst Mode	\$.00	\$756.00	MTEE3
5	BellSouth® Metro Ethernet Service, 20 Mbps Premium Connection, per connection, Burst Mode	\$.00	\$854.00	MTEE4
6	BellSouth® Metro Ethernet Service, 50 Mbps Premium Connection, per connection, Burst Mode	\$.00	\$1,036.00	MTEE5
7	BellSouth® Metro Ethernet Service, 100 Mbps Premium Connection, per connection, Burst Mode	\$.00	\$1,358.00	MTEE6
8	BellSouth® Metro Ethernet Service, 250 Mbps Premium Connection, per connection, Burst Mode	\$.00	\$1,631.00	MTEE7
9.	BellSouth® Metro Ethernet Service, 500 Mbps Premium Connection, per connection, Burst Mode	\$.00	\$2,079.00	MTEE8
10	BellSouth Metro Ethernet Service, System Reconfiguration Charge, per request, per connection	\$.00	·\$.00	MTESY
1.1	BellSouth® Metro Ethernet Service, Priority Plus Feature, per connection	\$.00	\$63.00	MTETP
12	Metro Ethernet Reporting, Service Establishment Charge, per customer account	\$.00	\$.00	CNMSE
13	Metro Ethernet Reporting Charge, per connection	\$.00	\$5.60	CNMME
14	Metro Ethernet Reporting Security card,	\$.00	\$.00	CNMSC

RATI	AGREEMENT ES AND CHARGES	Case Nu	nber FL05-G520-11 ption 1 of 1	<b>11</b>	
	each				
15	BellSouth® Metro Ethernet Service, Automatic Protection Switching (APS) Feature, Route Protection, Per APS Arrangement of less than 10 route miles	\$.00	\$1,285.00	MTEA5	
16	BellSouth® Metro Ethernet Service, Premium Service Arrangement, 2 Mbps Premium Connection, per connection	\$.00	\$360.00	МТЕРО	
17	BellSouth® Metro Ethernet Service, Premium Service Arrangement, 4 Mbps Premium Connection, per connection	\$.00	\$375.00	MTEPI	
18	BellSouth® Metro Ethernet Service, Premium Service Arrangement, 8 Mbps Premium Connection, per connection	\$:00	\$510.00	MTEP2	
19	BellSouth Metro Ethernet Service, Q- Forwarding Service Establishment Charge, pe	\$500.00	\$.00	MTEQF	
20	BellSouth Metro Ethernet Service, Q-Forwarding Network Assignment Charge, per n	<b>\$.00</b> :	\$75.00	MTEQN	

### <u>AGREEMENT</u>

Case Number FL05-G528-08 Option 1 of 1

# RATES AND CHARGES

<b>.</b>	Rate Elements Subrate T1 Customer Connection to Frame Relay. A minimum of one Customer Connection is required per Customer to subscribe to Frame Relay Service. 256 Kbps, each	Non-Recurring \$.00	Monthly Rate \$112.50	<u>USOC</u> FRHS2
. 2	Subrate T1 Customer Connection to Frame Relay. A minimum of one Customer Connection is required per Customer to subscribe to Frame Relay Service. 384 Kbps, each	\$.00	\$153.00	FRHS3
3:	Customer Connection to Frame Relay.  A minimum of one Customer Connection is required per Customer to subscribe to Frame Relay Service.  1.536 Mbps, each	\$.00	\$239.25	FRH15
4.	MultiLink Customer Connection to Frame Relay. A minimum of one Customer Connection is required per Customer to subscribe to Frame Relay Service. 3 Mbps, each	\$.00	\$450.00	FRHM3
5	Broadband Line-FPO, 1.536 Mbps, each	\$,00	\$102.00	FP115
6	Initial Standard DLCI, One per Customer Connection (provisioning only)	\$.00	\$.00	XAFD1
7	Frame Relay Service Feature Charge, Data Link Connection Identifier (DLCI), Additional, per Customer Connection	\$.00	\$1,50	FRVDX
8	Committed Information Rate (CIR), (per DLCI) cannot exceed the minimum transmission speed of the link at either end of the PVC, 0 Kbps	\$.00	.\$.00	FRVRO
9	Customer Network Management (CNM) CNM Service Establishment Charge Per Customer	\$.00	\$.00	CNMSE
10	Customer Network Management (CNM) Management Access Interface Web Interface, each	\$.00	\$11.25	CNMWE

**AGREEMENT** 

Case Number FL05-G528-08 Option 1 of 1

# RATES AND CHARGES

Customer Network Management (CNM) \$.00 \$.00 CNMSC Management Access Interface Security Card, each

Case Number FL05-G520-11 Option 1 of 1

#### RATES AND CHARGES

#### NOTES:

- 1. All rules and regulations for Frame Relay Service and Broadband Line-FPO Service from Section A40 of the General Subscriber Services Tariff (GSST) are applicable to this Agreement. The rate elements included herein have been specifically discounted. Other rate elements used in the provision of the service have not been listed, but may be found in the appropriate Company tariff. Examples of other rate elements are: FCC surcharges, regulatory fees, taxes, or charges for features ordered that are not listed in the Agreement.
- 2. This Contract Service Arrangement must be converted to tariff service at the end of the contract, or this Agreement must be renegotiated.
- 3. In the event that a material change in Subscriber's business conditions jeopardizes Subscriber's ability to perform the terms and conditions stated herein, then Company and Subscriber both agree to make a good faith attempt to renegotiate any unfavorable term or condition. No change, amendment or modification to this agreement may be made without the mutual, prior and written consent of both parties and shall be consistent with the provisions of all applicable tariff(s).
- 4. The Subscriber is liable for the revenues to the Company for the full term of this Agreement. If the Subscriber disconnects early, two payment options are available:
  - 1. Continue paying the monthly rates for the remainder of the Agreement term, or
  - 2. Make a lump sum payment discounted by the current prime interest rate plus two percentage points.
- 5. If facilities do not exist, special construction charges may apply.
- 6. All rules and regulations found in the BellSouth® Metro Ethernet tariff are applicable to this CSA.
- 7. These rates and charges are only valid it the Customer is served from a central office equipped for BellSouth® Metro Ethernet service, or can be extended to a central office equipped for BellSouth® Metro Ethernet service.
- 8. This Agreement contains private and/or proprietary information which may not be used or disclosed outside Company and its affiliates, except pursuant to Florida Statute 119.07

Notes continued on Attachment 1

All trademarks and service marks contained herein are the property of BellSouth Intellectual Property Corporation.

### END OF ARRANGEMENT AGREEMENT OPTION 1

Case Number FL05-G520-11

Option 1 of 1

Attachment 1

### FLORIDA ATTACHMENT

RATES AND CHARGES

NOTES: (continued)

9. The following nonrecurring charges will not apply upon initial installation. However, if any of the service is disconnected prior to the expiration of this CSA, then Subscriber will pay full nonrecurring charges as identified below in addition to applicable termination liability.

USOC	Nonrecurring Charge	
WGGVF-Contract Preparation Charge	\$326.00	
MTEBA	\$1,000.00	each
MTEBB	\$1,500.00	each
MTEBC	\$2,000.00	each
MTEE3	\$1,000.00	each
MTEE4	\$1,250.00	each
MTEE5	\$1,250.00	each
MTEE6	\$1,500.00	each
MTEE7	\$1,750.00	each
MTEE8	\$1,750.00	each
CNMSE	\$250.00	each
CNMSC	\$200.00	each
MTEAS	\$1,500.00	each
MTESY	\$900.00	each
MTEP1	\$1,000.00	each
MTEP2	\$1,000.00	each
MTEPO	\$1,000.00	each

Case Number FL05-G528-08 Option 1 of 1 Attachment 1

### FLORIDA ATTACHMENT

### RATES AND CHARGES

NOTES: (continued)

9. The following nonrecurring charges will not apply upon initial installation. However, if any of the service is disconnected prior to the expiration of this C.S.A., then Subscriber will pay full nonrecurring charges as identified below in addition to applicable termination liability charges and a Contract Preparation Charge of (\$326.00) dollars:

USOC	Description .	Nonrecurring Charge	
FRHS2	Subrate T1 Customer Connection at 256 Kbps	\$525,00	each
FRHS3	Subrate T1 Customer Connection at 384 Kbps	\$525,00	each
FRH15	Customer Connection at 1.536 Mbps	\$525.00	each
FRHM3	MultiLink Customer Connection at 3 Mbps	\$500.00	each
FP115	Broadband Line at 1.536	\$465.00	each
FRVDX	Each Additional Standard DLCI	\$25.00	each
CNMSE	CNM Service Establishment Charge	\$250.00	each
CNMWE	CNM Web Interface	\$125.00	each
CNMSC	CNM Security Card	\$100.00	each

# **RESOLUTION NO.** 2007-26508

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF FIRMS PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 05-06/07 FOR WIDE AREA NETWORK (WAN) COMMUNICATIONS SERVICES; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE FIRMS BELLSOUTH BUSINESS SYSTEMS, INC. AND ATLANTIC BROADBAND (MIAMI), LLC; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT(S) UPON THE COMPLETION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.

WHEREAS, on November 15, 2005, Invitation to Bid (ITB) No. 07-05/06 for Wide Area Network (WAN) Services was issued and sent to over 55 potential bidders; and

WHEREAS, this resulted in the receipt of one response, from BellSouth Business Systems, Inc. (BellSouth), which was deemed non-responsive, and subsequently rejected; and

WHEREAS, the ITB was re-issued, with a modification to the specifications, as ITB No. 28-05/06, on May 23, 2006, and was sent to over 60 potential bidders; and

WHEREAS, this resulted in the receipt of one bid, from BellSouth; and

WHEREAS, the City Manager exercised his authority to reject the sole bid, said rejection having an effective date of September 27, 2006; and

WHEREAS, the Information Technology Department has modified the scope of services, in an effort to open the project to negotiation, had opted to re-issue as a request for proposals; and

WHEREAS, on October 11, 2006, the City Commission authorized the issuance of RFP No. 05-06/07 to solicit proposals for WAN services; and

WHEREAS, the City is seeking WAN network services that will allow the successful and reliable transmission of information in different electronic forms from and to all of its locations; and

WHEREAS, the City is presently using WAN services provided by BellSouth; and

WHEREAS, the goal is to select a communication provider that can ensure the continuity of the City's WAN infrastructure and provide a solution that will function as the City's WAN communication services, and offer enhancements to meet future communication needs; and

WHEREAS, RFP No. 37-05/06 was issued and notices sent to over thirty (30) firms; and

WHEREAS, on the specified due date, the Procurement Division received responses from BellSouth and Atlantic Broadband (Miami), LLC; and

WHEREAS, on February 21, 2007, the City Manager via Letter to Commission No. 047-2007, appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

Derrick Arias, IT Director – City of Sunny Isles Beach; Gerald Cunningham, Sr. Network Administrator – CMB; Georgina Echert, Asst Director, Finance – CMB; William E. Henderson III, System & Network Manager – City of Miami Gardens; Larry Herrup, Independent CPA – Miami Beach resident; Terry Jonas, Systems Analyst – Miami Bach resident; Ariel Sosa, Technical Services Manager – CMB; and

WHEREAS, the Committee convened on March 13, 2007, and was provided with an overview of the project, information relative to the City's Cone of Silence Ordinance, the Government in the Sunshine Law, listened to presentations, and participated in question and answer sessions with each of the two proposers; and

WHEREAS, the Committee scored the two (2) firms based on the following criteria, as outlined in the RFP, for a maximum possible total of 100%:

- Quality of Proposed Technical Proposal Project understanding and soundness of proposed project methodology, including but not limited to: the details and accuracy of the proposed scope and statement of work and implementation plan, and the impact of the proposed solution on the operations of the City, and the demonstrated ability of the solution to enhance operational efficiency and effectiveness 35%;
- Maintenance and Support The performance, reliability, and scalability of the proposed solution 30%;
- Financial Strength and References Proposer's financial qualifications and references to perform the work required by the RFP – 10%;
- Cost The cost of recurring maintenance, support costs and other fees 25%; and

WHEREAS, the Committee agreed that while Bellsouth is the incumbent provider of WAN services to the City, Atlantic Broadband is offering some network services that would benefit the City technologically; and

WHEREAS, the Committee unanimously agreed that simultaneous negotiations should take place with both firms, allowing the IT Department the flexibility to select the network solution that best suits the City from a technology, reliability and flexibility standpoint; and

WHEREAS, it is anticipated that a contract will be executed with both proposers; and

WHEREAS, the City Manager concurs with the Committee's recommendations.

NOW, THEREFORE, BE IT DULY RESOLVED BY THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, that the Mayor and City Commission hereby accept the recommendation of the City Manager pertaining to the ranking of firms pursuant to Request for Proposals (RFP) No. 05-06/07, for Wide Area Network (WAN) Communications Services; authorize the Administration to enter into negotiations with BellSouth Business Systems, Inc. and Atlantic Broadband (Miami) LLC; and further authorize the Mayor and City Clerk to execute an agreement(s) upon conclusion of successful negotiations by the Administration.

PASSED AND ADOPTED this

11th

day of April

2007.

ATTEST:

1º VI CCC (

CLERK

WATOR

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APPROVED AS TO FORM & LANGUAGE & FOR EXECUTION

City Attorney

Date

### **Condensed Title:**

A Resolution Accepting the City Manager's Recommendation Pertaining to the Ranking of Firms for Wide Area Network Communications (WAN) Services, Authorizing the Administration to Enter into Negotiations, and Authorizing the Mayor and City Clerk to Execute an Agreement(s).

**Key Intended Outcome Supported:** 

Improve process through information technology

#### Issue:

Shall the Commission Adopt the Resolution?

### Item Summary/Recommendation:

The City is presently using WAN services provided by BellSouth. The City is seeking WAN network services that will allow the successful and reliable transmission of information in different electronic forms from and to all of its locations. The goal is to select a communication provider that can ensure the continuity of the City's WAN infrastructure and provide a solution that will function as the City's WAN Communication Services, and offers enhancements to meet future communication needs.

On October 11, 2006, the City Commission authorized the issuance of a Request for Proposals (RFP) to solicit proposals for WAN Services. RFP No. 05-06/07 was issued and sent to over 30 firms. Proposals were received from BellSouth Business Systems, Inc. and Atlantic Broadband (Miami) LLC. An Evaluation Committee appointed by the City Manager reviewed the proposals, and then scored and ranked the two proposals, based on the criteria published in the RFP. The Committee unanimously agreed that simultaneous negotiations should take place with both firms, allowing IT the flexibility to select the network solution that best suits the City from a technology, reliability and flexibility standpoint. It is anticipated that a contract will be executed with both proposers.

The Administration recommends approval.

#### **Advisory Board Recommendation:**

N/A

### **Financial Information:**

-unds:		Amount	Account  Estimated Annual Expenditure.	Approv
	1	\$300,000	Information Technology Fund, Acct No. 550-1750-000316	
	2			
(// 4	z 3			
	4			
OBPI	Total	\$300,000		

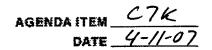
City Clerk's Office Legislative Tracking:

Gus Lopez, Procurement

Sign-Offs:

<del>4.31. 4.10.</del>		
Department Director	Assistant City Mana	ger City Manager
GA	PDW DV	JMG 1
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City of Miami Beach, 1700 Convention Center Drive, Miami Beach, Florida 33139, www.miamibeachfl.gov

# COMMISSION MEMORANDUM

TO:

Mayor David Dermer and Members of the City Commission

FROM:

Jorge M. Gonzalez, City Manager

DATE:

April 11, 2007

SUBJECT:

A RESOLUTION OF THE MAYOR AND CITY COMMISSION OF THE CITY OF MIAMI BEACH, FLORIDA, ACCEPTING THE RECOMMENDATION OF THE CITY MANAGER PERTAINING TO THE RANKING OF FIRMS PURSUANT TO REQUEST FOR PROPOSALS (RFP) NO. 05-06/07 FOR WIDE AREA NETWORK (WAN) COMMUNICATIONS SERVICES; AUTHORIZING THE ADMINISTRATION TO ENTER INTO NEGOTIATIONS WITH THE FIRMS BELLSOUTH BUSINESS SYSTEMS, INC. AND ATLANTIC BROADBAND (MIAMI), LLC; AND FURTHER AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT(S) UPON THE COMPLETION OF SUCCESSFUL NEGOTIATIONS BY THE ADMINISTRATION.

### **ADMINISTRATION RECOMMENDATION**

Adopt the Resolution.

#### **FUNDING**

\$300,000

Estimated Annual Expenditure: Funding is available from the Information Technology Fund, Account No. 550-1750-000316

### **KEY INTENDED OUTCOMES SUPPORTED**

Improve process through information technology

### **ANALYSIS**

On November 15, 2005, Invitation to Bid (ITB) No. 07-05/06 for Wide Area Network (WAN) Services was issued and sent to over 55 potential bidders. This resulted in the receipt of one response, from BellSouth Business Systems (BellSouth), which was deemed non-responsive, and subsequently rejected.

The ITB was re-issued, with a modification to the specifications, as No. 28-05/06 on May 23, 2006, and was sent to over 60 potential bidders. This resulted in the receipt of one bid, from BellSouth. The City Manager exercised his authority to reject the sole bid, said rejection having an effective date of September 27, 2006. The Information Technology Department has modified the scope of services, and in an effort to open the project to negotiation, had opted to re-issue as a request for proposals.

On October 11, 2006, the City Commission authorized the issuance of an RFP to solicit proposals for WAN Services.

The City is seeking WAN network services that will allow the successful and reliable transmission of information in different electronic forms from and to all of its locations. All proposed services must be proven, secure, reliable and cost-effective. All proposers must provide the necessary security within their network and all interfaces to external components, customer or otherwise, that will ensure the City is protected and that the proposed services are secure and do not create or cause liability issues or concerns.

Miami Beach is presently using WAN services provided by BellSouth. The goal of this RFP is to select a communication provider that can provide the following:

- 1. Ensures the continuity of the City's WAN infrastructure.
- 2. Provide a solution that will function as the City's WAN Communication Services and offers enhancements to meet future communication needs.

### **RFP PROCESS**

RFP No. 05-06/07 was issued on October 17, 2006 and notices sent to over 30 firms, which resulted in the receipt of two proposals from the following firms:

BellSouth Business Systems (BellSouth) Atlantic Broadband (Miami), LLC

On February 21, 2007, the City Manager via Letter to Commission No. 047-2007, appointed an Evaluation Committee (the "Committee"), consisting of the following individuals:

Derrick Arias, IT Director – City of Sunny Isles Beach
Gerald Cunningham, Sr. Network Administrator – CMB
Georgina Echert, Asst Director, Finance – CMB
William E. Henderson III, System & Network Manager – City of Miami Gardens
Larry Herrup, Independent CPA – Miami Beach resident
Terry Jonas, Systems Analyst – Miami Beach resident
Ariel Sosa, Technical Services Manager - CMB

The Committee convened on March 13, 2007, and was provided with an overview of the project, information relative to the City's Cone of Silence Ordinance, and the Government in the Sunshine Law. Larry Herrup was nominated as chairperson of the Committee. The Committee listened to presentations and participated in question and answer sessions with each of the two proposers.

The Committee was instructed to score and rank each proposal pursuant to the evaluation criteria established in the RFP, which was as follows (total possible 100%):

- Quality of Proposed Technical Proposal Project understanding and soundness of proposed project methodology, including but not limited to: the details and accuracy of the proposed scope and statement of work and implementation plan, and the impact of the proposed solution on the operations of the City, and the demonstrated ability of the solution to enhance operational efficiency and effectiveness – 35%
- Maintenance and Support The performance, reliability, and scalability of the proposed solution – 30%
- Financial Strength and References Proposer's financial qualifications and references to perform the work required by the RFP – 10%
- Cost The cost of recurring maintenance, support costs and other fees 25%

The Committee discussed each of the proposals and the corresponding presentations, and proceeded to score and rank them as follows:

Committee Member	BellSouth	Atlantic Broadband
Derrick Arias	90 (1)	65 (2)
Gerald Cunningham	90 (1)	89 (2)
Georgina Echert	90 (1)	85 (2)
William Henderson	87.5 (2)	94.5 (1)
Larry Herrup	95 (1)	90 (2)
Terry Jonas	85 (1)	80 (2)
Ariel Sosa	78 (2)	83 (1)

During their discussions, the Committee agreed that while Bellsouth is the incumbent provider of WAN services to the City, Atlantic Broadband is offering some network services that would benefit the City from a technology standpoint.

BellSouth' proposal has no installation fees for any upgrades to the existing system, only monthly maintenance fees for the options they were proposing. However, it was pointed out by the Committee that Bellsouth did not appear to be proposing any truly new technology or creative solutions.

The City's remote sites that currently have T1 connectivity from BellSouth are deemed to have old technology. The Committee, in conjunction with staff from the IT department, articulated that this would be an opportunity for Atlantic Broadband to offer improved connectivity for these sites.

If awarded the business, the City would be Atlantic Broadband's largest customer in the State of Florida. Due to the nature of the emergency services the City provides, Atlantic Broadband enumerated that the City would be given priority in the event of a disaster.

BellSouth has been deemed a good provider over the years, and responsive to the City's needs. However, the City is interested in pursuing flexible technology offerings, pricing and solutions that maximize our return on investment.

Atlantic Broadband is eager to gain the City's business and is willing to pay close attention to the City's needs. In addition, they are small enough to offer flexibility and creativity from a technology standpoint.

The Committee unanimously agreed that simultaneous negotiations should take place with both firms, allowing IT the flexibility to select the network solution that best suits the City from a technology, reliability and flexibility standpoint. It is anticipated that a contract will be executed with both proposers.

#### CONCLUSION

The Administration recommends that the Mayor and City Commission approve the attached resolution, which recommends the acceptance of the ranking of the firms and authorizes the Administration to enter into negotiations with BellSouth Business Systems, Inc. and Atlantic Broadband (Miami), LLC.; and further authorizing the Mayor and City Clerk to execute agreement(s) upon the completion of successful negotiations by the Administration.

<sup>\*</sup>T:\AGENDA\2007\Apr11\Consent\WANCommissionMemo.doc